

**ASSEMBLY BILL**

**No. 943**

**Introduced by Assembly Member Santiago  
(Coauthor: Assembly Member Burke)**

February 16, 2017

An act to add Section 65863.15 to the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

AB 943, as introduced, Santiago. Land use regulations: local initiatives: voter approval.

The Planning and Zoning Law, among other things, authorizes the legislative body of any county or city to adopt ordinances to regulate land use. Existing law also establishes procedures by which city ordinances may be enacted by initiative, including requiring that an ordinance proposed by the voters or submitted by the legislative body of the city be approved by a majority of the votes cast on the ordinance.

This bill, in the case of an ordinance that would curb, delay, or deter growth or development within a city, require that an ordinance proposed by the voters or submitted by the legislative body of the city receive  $\frac{2}{3}$  of the votes cast on the ordinance in order to become effective. The bill would declare that it addresses a matter of statewide concern.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 65863.15 is added to the Government
- 2 Code, to read:

1     65863.15. (a) Notwithstanding any other law, including  
2 Sections 9217 and 9222 of the Elections Code, if a proposed  
3 ordinance is submitted to the voters of a city, pursuant to either  
4 Article 1 (commencing with Section 9200) of Chapter 3 of Division  
5 9 of the Elections Code or procedures adopted by a city organized  
6 under a charter pursuant to Section 3 of Article XI of the California  
7 Constitution, that would curb, delay, or deter growth or  
8 development within a city, the ordinance shall be enacted only if  
9 it is approved by at least two-thirds of the votes cast on it at the  
10 election.

11     (b) Notwithstanding any other law, including Section 9247 of  
12 the Elections Code, the Legislature finds and declares that this  
13 section addresses a matter of statewide concern and shall therefore  
14 apply equally to all cities, including charter cities.